PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, SEPTEMBER 25, 19 79

CITY OF FORT WAYNE INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council Chambers Tuesday evening September 25 A.D., 19 79, in Regular Session. President Winfield C. Moses, Jr. in the chair, and Charles W. Westerman Clerk, at the desk, present the following members viz:

BURNS X, HINGA X, HUNTER X,
MOSES X, NUCKOLS X, DONALD SCHMIDT X,
VIVIAN SCHMIDT X, STIER X, TALARICO X,
ABSENT
COUNCILMAN , , ,
, , ,

The invocation was given by Reverend Thomas Prochaska, Assistant Our Savior Lutheran Church

Received report from the City Controller for the month of , 19 . Motion made and carried that report be made a matter of record and placed on file.

The minutes of the last Regular September 11, 19 79,
, 19 ,
Special , 19 ,
Session having been delivered to the Council, were, on motion, approved and published.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 63/79/E
64/79/D
65/79/D

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,

Terry Coonan

Terry Coonan, Chairman
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 63/79/E 64/79/D 65/79/D)

I hereby certify that I did this 14th day of September, 1979 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 63/79/E 64/79/D 65/79/D of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Jerry Cronan

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 63/79/E

(Adopted Sept. 13, 19 79)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to THRU STREET (EMERGENCY) AND STOP INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 11, 19 79, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective September 13, 19 79, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

THRU STREET (EMERGENCY)

High St. -- from -- Wells St. to Sherman Blvd. except at Wells St. & Sherman Blvd.

STOP INTERSECTION (EMERGENCY)

Andrew St. -- stop -- for Fourth St.

Putnam St. -- stop -- for Short St.

Putnam St. -- stop -- for Meridian St.

REGULATORY RESOLUTION NO. 64/79/D

(Adopted September 13, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 14 of said chapter delegates to this Board authority to PREFERENTIAL INTERSECTION (DELEGATED) AND DELETE: PREFERENTIAL INTERSECTION (DELEGATED); and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 11, 1979, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 14 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective September 13, 1979, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

PREFERENTIAL INTERSECTION (DELEGATED)

Clark St. -- preferential -- at Second St.
Huffman St. -- preferential -- at Barthold St.
Huffman St. -- preferential -- at Meridian St.
Huffman St. -- preferential -- at Geller ST.
Huffman St. -- preferential -- at Hensch St.
Huffman St. -- preferential -- at Kelly Dr.
Andrew St. -- preferential -- at Greenlawn Dr.
Andrew St. -- preferential -- at Archer Ave.
Hensch St. -- preferential -- at Archer Ave.
Cortland Ave. -- preferential -- at Florence Ave.
Hensch St. -- preferential -- at Florence Ave.
Andrew St. -- preferential -- at Florence Ave.
Meridian St. -- preferential -- at Greenlawn Ave.
Short St. -- preferential -- at Greenlawn Ave.

DELETE:
PREFERENTIAL INTERSECTION (DELEGATED)

Archer Ave. -- preferential -- at Andrew St.
Archer Ave. -- preferential -- at Hensch St.
Florence Ave. -- preferential -- at Cortland Ave.
Florence Ave. -- preferential -- at Hensch St.
Florence Ave. -- preferential -- at Andrew St.
Greenlawn Ave. -- preferential -- at Meridian St.
Greenlawn Ave. -- preferential -- at Short St.
Putnam St. -- preferential -- at Short St.
Putnam St. -- preferential -- at Meridian St.

REGULATORY RESOLUTION NO. 65/79/D

(Adopted Sept. 14, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 14 of said chapter delegates to this Board authority to PREFERENTIAL INTERSECTION (DELEGATED) ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 12, 1979, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 14 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective September 14, 1979, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

PREFERENTIAL INTERSECTION (DELEGATED)

Westbound Old Trail Rd. -- preferential -- Southbound Old Trail Rd.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 66/79/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate it into the minutes of the next Common Council meeting.

Respectfully submitted,

Terry Cooman

Terry Cooman, Chairman
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 66/79/E)

I hereby certify that I did this 18th day of September, 19 79 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 66/79/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Jerry Coonan

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 66/79/E

(Adopted September 18, 19 79)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 54/79/E: STOP INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 17, 19 79, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective September 18, 19 79, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Lexington Ave. -- stop -- for Hartman Rd.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Number: 67/79/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

Terry Coonan

Terry Coonan, Chairman
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 67/79/E)

I hereby certify that I did this 19th day of September, 1979 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 67/79/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Jerry Coonan
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 67/79/E

(Adopted September 19, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to NO PARKING (EMERGENCY) AND DELETE: NO PARKING (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 18, 1979, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective September 19, 1979, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Old Trail Rd. -- both sides -- from Prairie Grove Dr. to Bluffton Rd.

DELETE:
NO PARKING (EMERGENCY)

Old Trail Rd. -- both sides -- from Prairie Grove Dr. to 1350' north thereof

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Number: 68/79/D

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

Terry Coonan

Terry Coonan, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 68/79/D)

I hereby certify that I did this 25th day of September, 19 79 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 68/79/D of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Jerry Coonan

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 68/79/D

(Adopted September 25, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 121 of said chapter delegates to this Board authority to NO PARKING (DELEGATED)

; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 21, 1979, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 121 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective September 25, 1979, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (DELEGATED)

St. Marys Ave. -- west side -- from Goshen Rd. to 140 ft. south thereof

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

25 September 1979

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-79-08-46

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
25th day of September 1979.

Thomas G. Adams

Thomas G. Adams
Secretary

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

25 September 1979

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held September 24, 1979. In addition to the reasons outlined in the resolution, the following are additoinal remarks pertaining to the ordinance:

1. Bill No. Z-79-08-46

2. From R1 to R3

3. Intended Use: Professional Office

4. Plan Commission Recommendation: DO PASS

   This ordinance received a DO PASS recommendation for the following reason:

   a. The Commission feels that the rezoning of the property would permit the development of the property in a manner which is compatible with the surrounding area.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING

Gary F. Baeten

Gary F. Baeten
Senior Planner

GFB:pb

Attachments

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHERAS, the Common Council of the City of Fort Wayne, Indiana on August 28, 1979, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-08-46; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 17, 1979;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

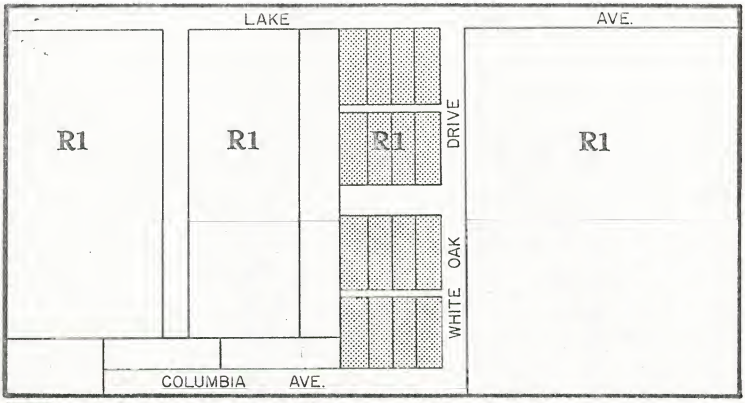
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 25, 1979.

Certified and signed this
25th day of September 1979.

Thomas G. Adams

Thomas G. Adams
Secretary



AMENDMENT FROM R1 TO R3

MAP NR. - Q-10

Z-79-08-46

N

DRAWN BY MEG 8/17/79

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

25 September 1979

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-79-08-19

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
25th day of September 1979.

Thomas G. Adams

Thomas G. Adams
Secretary

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

25 September 1979

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held September 24, 1979. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining the the ordinance:

1. Bill No. Z-79-08-19

2. From R2 & R3 to R1

3. Intended Use: Upgrade Neighborhood to Single Family

4. Plan Commission Recommendation: DO PASS

   This ordinance received a DO PASS recommendation for the following reason:

   a. This is a sound residential neighborhood that contains 77% single family homes. It is also a neighborhood which contains a substantial number of historically significant structures.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING

Gary F. Baeten
Senior Planner

GFB:pb

Attachments

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on Ausgust 14, 1979, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-08-19; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 17, 1979;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

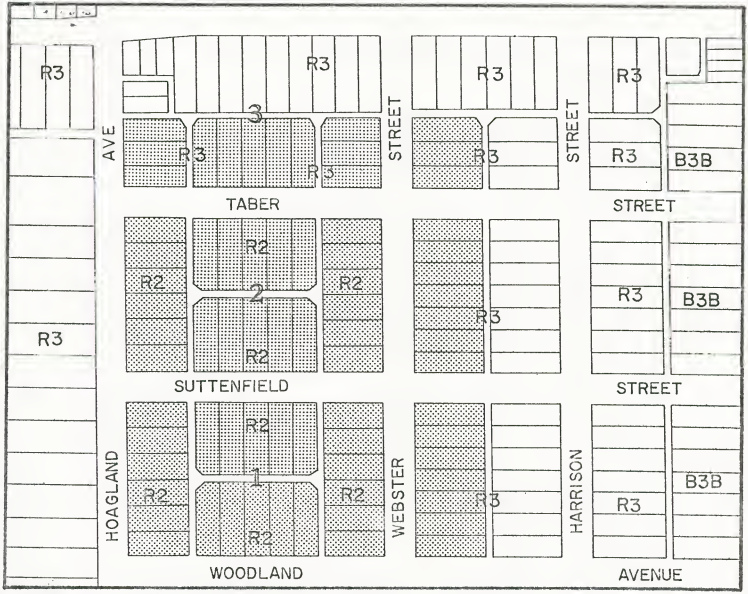
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 24, 1979.

Certified and signed this
25th day of September 1979.

Thomas G. Adams

Thomas G. Adams
Secretary



AMENDMENT FROM R2 & R3 TO RI

N

MAP NR. - M-3

Z-79-08-19

DRAWN BY MEG 7/24/79

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

25 September 1979

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-79-08-44

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
25th day of September 1979.

Thomas G. Adams

Thomas G. Adams
Secretary

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

25 September 1979

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held September 24, 1979. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-79-08-44

2. From RA to B3B

3. Intended Use: Expansion of Imel Battery & Lead Company, Inc.

4. Plan Commission Recommendation: DO NOT PASS

   This ordinance received a DO NOT PASS recommendation for the following reason:

   a. The Plan Commission recommended denial of the rezoning in light of what obviously is renewed interest in this area for residential development. The also feel that approval of the rezoning would seriously effect the continued development of Tamera Place Subdivision.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten (pb)

Gary F. Baeten
Senior Planner

GFB:pb

Attachments

AN EQUAL OPPORTUNITY EMPLOYER

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 28, 1979, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-08-44; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 17, 1979;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

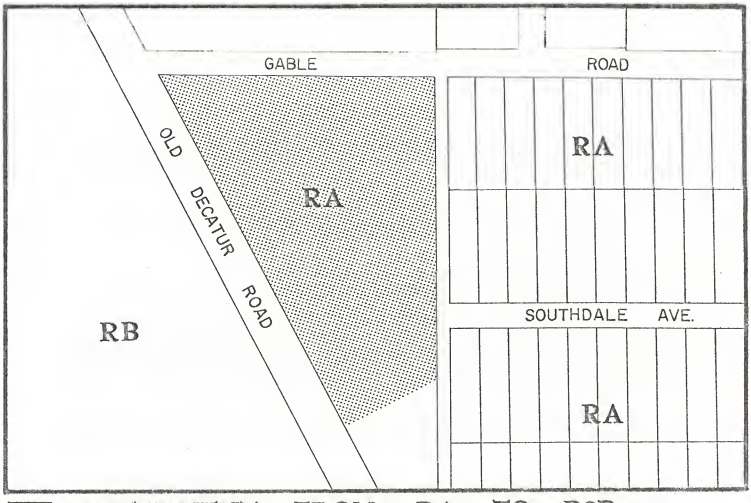
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Comission held September 24,1979.

Certified and signed this
25th day of September 1979.

Thomas G. Adams

Thomas G. Adams
Secretary



AMENDMENT FROM RA TO B3B

MAP NR. - 0-27

Z-79-08-44

N

DRAWN BY MEG 8/16/79

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

17 September 1979

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-79-05-07

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
17th day of September 1979.

Thomas G. Adams

Thomas G. Adams
Secretary

AN EQUAL OPPORTUNITY EMPLOYER

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

17 September 1979

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held June 25, 1979. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-79-05-07

2. From R-2 to M-2

3. Intended Use: Manufacturing

4. Plan Commission Recommendation: DO PASS with condition.

   This ordinance received a DO PASS recommendation for the following reason:

   This request is a logical extension of an industrial district.

CONDITION:

The petition shall submit a restrictive covenant stating that he will buffer the residential property to the west by means of a six (6) foot landscape or other decorative screen.

NOTE: Restrictive Covenant has been received by the Plan Commission staff.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

Gary F. Baeten pb

Gary F. Baeten
Senior Planner

GFB:pb

Attachments

AN EQUAL OPPORTUNITY EMPLOYER

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 22, 1979 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-05-07; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on June 18, 1979;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

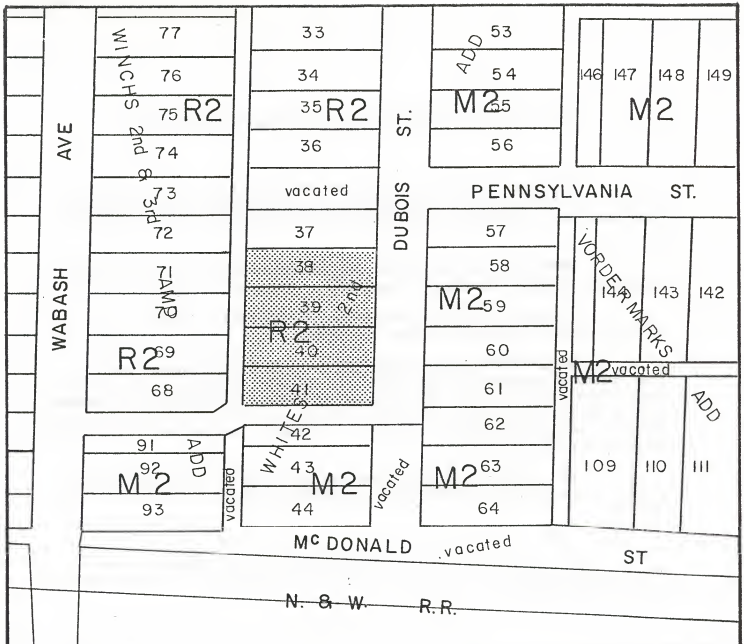
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 25, 1979.

Certified and signed this
17th day of September 1979.

Thomas G. Adams

Thomas G. Adams
Secretary



CHANGE FROM R2 TO M2

Z-79-05-07

MAP NO. P2

N

PREPARED BY R.K.

DATE 3 MAY 1979

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

17 September 1979

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a dedicated alley.

The proposed ordinance is designated as:

Bill No. G-79-07-31

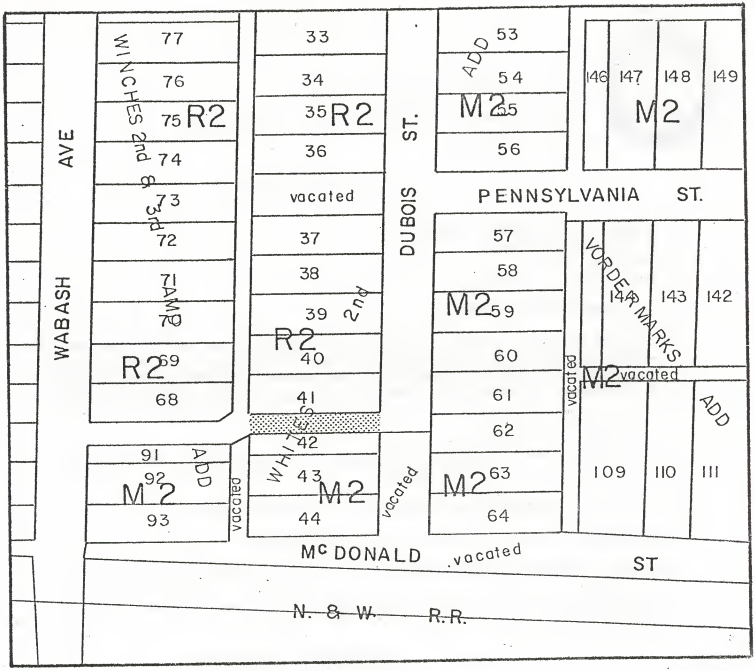
Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
17th day of September 1979.

Thomas G. Adams

Thomas G. Adams
Secretary



ALLEY TO BE VACATED

N

MAP NO. P2

G-79-07-31

PREPARED BY R.K.

DATE 3 MAY 1979

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

17 September 1979

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) alley vacation ordinance acted upon by the City Plan Commission at their regular meeting held August 27, 1979. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-79-07-31

2. Intended Use: Vacated right-of-way will be utilized by the abutting property owners.

3. Plan Commission Recommendation: DO PASS with condition.

CONDITION: All necessary easements are dedicated.

NOTE: Easement dedications have been received by Plan Commission staff.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

Gary F. Baeten
Senior Planner

GFB:pb

Attachments

Fort Wayne Board of Public Works at their meeting held 19th day of September 1979, and as same appears of record in the official records of said Board of Public Works.

DATED THIS 19 DAY OF Sept. 1979

FORT WAYNE BOARD OF PUBLIC WORKS

Henry P. Wehrenberg

Henry P. Wehrenberg, Chairman

Ethel H. LaMar

Ethel H. LaMar, Member

Max G. Scott

Max G. Scott, Member

68-64-12 9/19/79

RESOLUTION NO. 68-64-12

WHEREAS, WAYNE METAL PROTECTION COMPANY, INC., has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alley in Fort Wayne, Allen County, to-wit:

> An existing alley 18 feet in width and 133 feet in length, located west of Dubois Street, south of Pennsylvania Street and east of the alleyway between Wabash Avenue and DuBois Street in the City of Fort Wayne, Indiana, as opened by Dedication dated April 5, 1932 recorded July 23, 1934 in Miscellaneous Record 90, page 385 which said alley is more particularly described as follows, to-wit:
>
> Commencing at a point 18 feet south of the northeast corner of Lot No. 42 in Whites Second Addition, thence north 18 feet to the northeast corner thereof, thence west along lot line of said Lot No. 42, a distance of 133 feet to the northwest corner thereof, thence south a distance of 18 feet, thence east along a line parallel to the north lot line of said Lot No. 42 to the place of beginning, being on the north 18 feet of what has formerly been Lot No. 42 in Whites Second Addition.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of public alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public alley hereinbefore described conform to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public ~~alley~~ hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said public alley or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless said utilitites shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Henry P. Kehrenberg, Chairman, of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the

R E S O L U T I O N

WHEREAS, WAYNE METAL PROTECTION COMPANY, INC., has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alley in Fort Wayne, Allen County, to-wit:

> An existing alley 18 feet in width and 133 feet in length, located west of Dubois Street, south of Pennsylvania Street and east of the alleyway between Wabash Avenue and DuBois Street in the City of Fort Wayne, Indiana, as opened by Dedication dated April 5, 1932 recorded July 23, 1934 in Miscellaneous Record 90, page 385 which said alley is more particularly described as follows, to-wit:
>
> Commencing at a point 18 feet south of the northeast corner of Lot No. 42 in Whites Second Addition, thence north 18 feet to the northeast corner thereof, thence west along lot line of said Lot No. 42, a distance of 133 feet to the northwest corner thereof, thence south a distance of 18 feet, thence east along a line parallel to the north lot line of said Lot No. 42 to the place of beginning, being on the north 18 feet of what has formerly been Lot No. 42 in Whites Second Addition.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on August 20, 1979 at 7:00 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public alley.

WHEREAS, said vacation of the alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said alley hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said public alley or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said alley in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Thomas G. Adams, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held August 27, 1979, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 17th DAY OF September 1979

FORT WAYNE CITY PLAN COMMISSION

Thomas G. Adams

Thomas G. Adams
Secretary

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

office of the mayor

September 13, 1979

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Today, September 13, 1979, I have approved the following ordinances passed by the Common Council at its regular meeting on September 11, 1979.

(Bill No. A-79-08-57)
(AS AMENDED)
APPROPRIATION ORDINANCE NO. A-18-79

AN ORDINANCE transferrting funds from the Cash Reserve fund of the Electric Utility to the City General Fund

(Bill No. A-79-08-58)
(AS AMENDED)
APPROPRIATION ORDINANCE NO. A-19-79

AN ORDINANCE appropriating additional funds in the General Fund to specific account of the Department of City Controller

(Bill No. S-79-08-41)
SPECIAL ORDINANCE NO. S-160-79

AN ORDINANCE approving a certain bid document for purchase of one signal generator for Board of Public Safety

(Bill No. S-79-09-11)
SPECIAL ORDINANCE NO. S-161-79

ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE TO ISSUE ITS "ECONOMIC DEVELOPMENT FIRST MORTGAGE REVENUE BONDS, SERIES 1979 (FORT WAYNE POOLS, INC. PROJECT)" AND APPROVING OTHER ACTIONS IN RESPECT THERETO

(Bill No. R-79-08-56)
RESOLUTION NO. R-49-79

A RESOLUTION providing for the current funding of the Electric Utility Cash Reserve Fund created in 1975

(Bill No. R-79-09-03)
RESOLUTION NO. R-50-79

A RESOLUTION authorizing the transfer of funds from Humane Commission's Account No. 4-02-010-017-01-4220 "Utilities" to various accounts within the Humane Commission's 1979 Budget

(Bill No. R-79-09-04)
RESOLUTION NO. R-51-79

A RESOLUTION authorizing payment to Poinsatte Motors for new vehicles for the Police Department

(Bill No. R-79-09-12)
RESOLUTION NO. R-52-79

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $900,000 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant to proceed with the acquisition, construction and equipping of the Project

(Bill No. Z-79-07-09)
ZONING MAP ORDINANCE NO. Z-21-79

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. K-10

(Bill No. Z-79-07-33)
ZONING MAP ORDINANCE NO. Z-22-79

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M-11

(Bill No. S-79-08-47)
SPECIAL ORDINANCE NO. S-162-79

AN ORDINANCE approving a contract for Street Improvement Resolution No. 5846-79 between the City of Fort Wayne, Indiana and Moellering Construction Co., Inc., Contractor for resurfacing McKinnie Ave.

(Bill No. S-79-08-48)
SPECIAL ORDINANCE NO. S-163-79

AN ORDINANCE approving a contract for Street Improvement Resolution No. 5845-79 between the City of Fort Wayne, Indiana and Moellering Construction Co., Inc., Contractor for resurfacing streets in 5th Councilmanic District

(Bill No. S-79-08-49)
SPECIAL ORDINANCE NO. S-164-79

AN ORDINANCE approving Change Order No. 1, Sidewalk Improvement Resolution No. 5828-79 in connection with East Central, Phase IV

(Bill No. S-79-08-50)
SPECIAL ORDINANCE NO. S-165-79

AN ORDINANCE approving a contract for Street Improvement Resolution No. 5847-79 between the City of Fort Wayne, Indiana and Moellering Construction Co., Inc. Contractor for resurfacing streets in 6th Councilmanic District

(Bill No. S-79-08-51)
SPECIAL ORDINANCE NO. S-166-79

AN ORDINANCE approving a blanket purchase order - City Utilities Purchase Order No. B-1295 for Water Treatment Chemical for the Three Rivers Filtration Plant

(Bill No. S-79-08-52)
SPECIAL ORDINANCE NO. S-167-79

AN ORDINANCE approving Change Orders Numbered 2 and 3, Contract No. 77-W-2, in connection with Filtration Plant Additions

Respectfully yours,

Robert E. Armstrong
Mayor

STATE OF INDIANA

INDIANA STATE HIGHWAY COMMISSION
100 North Senate Avenue
Indianapolis, Indiana 46204

INDIANAPOLIS
Room 1101, State Office Building
317-633-5816

September 11, 1979

City Clerk
City-County Building
Fort Wayne, IN 46802

Re: US 27,33 & SR 1
City of Ft. Wayne
Allen County
Turning movements

Dear Sir/Madam:

Attached is a copy of a resolution restricting turning movements at the above location as approved by the State Highway Commission on September 7, 1979.

Very truly yours,

Clinton A. Venable

Clinton A. Venable
Chief, Division of Traffic

cc: Mayor R. Armstrong
Clerk of Circuit Court
State Police
Ft. Wayne District

CAV/md

NOTICE OF OFFICIAL ACTION 158-79
OF
INDIANA STATE HIGHWAY COMMISSION

WHEREAS, under and by virtue of the Statutes of the State of Indiana relative to traffic regulation, the Indiana State Highway Commission has the authority and the duty to adopt and promulgate regulations in the interest of the safety and convenience of the traveling public using the highways, including streets in cities and towns, under the control of said Commission, be it known that the following traffic regulation is hereby adopted:

Turning movements shall be restricted on US 27, 33 and SR 1 in the City of Fort Wayne, Allen County, as follows:

"NO "U" TURN" shall be established for southbound traffic on US 27,33 and SR 1 (Clinton St.) at the nose of the island which separates northbound US 33, SR 1 (Northrop St.) from southbound US 27, 33, SR 1 (Northrup) at its junction with US 27, 33, SR 1 (Clinton St.).

NOTE: This action amends and/or supersedes previous official action at the above named location (s).

ADOPTED THIS 7th DAY OF September 19 79

Approved: _____ Indiana State Highway Commission
Chief, Division of Traffic

Approved: _____ BY: _____
Chief of Highway Operations Executive Director

Approved: _____ ATTEST:
Chief Highway Engineer

_____
Secretary to the Commission

APPOINTMENTS

September 11, 1979

The following persons were appointed by the Common Council at the Regular Session of September 11, 1979, to the Allen County Economic Opportunity Council:

Robert E. Nichols
7404 Hope Farm Road
Fort Wayne, IN 46805
747-9421 - Home
461-5926 - Office

Angela Wright
203 W. Wayne
Room 309
Fort Wayne, IN
424-7977 - Office

Reverend James Hall
3402 New Haven Ave.
Fort Wayne, IN

Date: 9-11-79

Charles W. Westerman
City Clerk

ATTEST: (SEAL)

MADE A MATTER OF RECORD
DATE_____CHARLES W. WESTERMAN, CITY CLERK

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 25th day of September, 1979 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 28th day of September, 1979.

Charles W. Westerman

Charles W. Westerman
City Clerk

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, SEPTEMBER 25, 1979

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council Chambers Tuesday evening September 25, 1979, in Regular Session. President Winfield C. Moses, Jr. in the chair, and Charles W. Westerman Clerk, at the desk, present the following members nine viz:

Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

The minutes of the last Regular September 11, 1979, Session having been delivered to the Council, were, on motion, approved and published.

COMMUNICATIONS FROM THE MAYOR

September 13, 1979

MADE A MATTER OF RECORD
DATE_____CHARLES W. WESTERMAN, CITY CLERK

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Today, September 13, 1979, I have approved the following ordinances passed by the Common Council at its regular meeting on September 11, 1979.

(Bill No. A-79-08-57)
(AS AMENDED)
APPROPRIATION ORDINANCE NO. A-18-79

AN ORDINANCE transferr ing funds from the Cash Reserve fund of the Electric Utility to the City General Fund

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SPECIAL ORDINANCE NO. S-160-79

AN ORDINANCE approving a certain bid document for purchase of one signal generator for Board of Public Safety

(Bill No. S-79-09-11)
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(Bill No. R-79-08-56)
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A RESOLUTION providing for the current funding of the Electric Utility Cash Reserve Fund created in 1975

(Bill No. R-79-09-03)
RESOLUTION NO. R-50-79

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(Bill No. R-79-09-04)
RESOLUTION NO. R-51-79

A RESOLUTION authorizing payment to Poinsatte Motors for new vehicles for the Police Department

(Bill No. R-79-09-12)
RESOLUTION NO. R-52-79

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $900,000 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant to proceed with the acquisition, construction and equipping of the Project

(Bill No. Z-79-07-09)
ZONING MAP ORDINANCE NO. Z-21-79

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. K-10

(Bill No. Z-79-07-33)
ZONING MAP ORDINANCE NO. Z-22-79

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M-11

(Bill No. S-79-08-47)
SPECIAL ORDINANCE NO. S-162-79

AN ORDINANCE approving a contract for Street Improvement Resolution No. 5846-79 between the City of Fort Wayne, Indiana and Moellering Construction Co., Inc., Contractor for resurfacing McKinnie Ave.

(Bill No. S-79-08-48)
SPECIAL ORDINANCE NO. S-163-79

AN ORDINANCE approving a contract for Street Improvement Resolution No. 5845-79 between the City of Fort Wayne, Indiana and Moellering Construction Co., Inc., Contractor for resurfacing streets in 5th Councilmanic District

(Bill No. S-79-08-49)
SPECIAL ORDINANCE NO. S-164-79

AN ORDINANCE approving Change Order No. 1, Sidewalk Improvement Resolution No. 5828-79 in connection with East Central, Phase IV

(Bill No. S-79-08-50)
SPECIAL ORDINANCE NO. S-165-79

AN ORDINANCE approving a contract for Street Improvement Resolution No. 5847-79 between the City of Fort Wayne, Indiana and Moellering Construction Co., Inc. Contractor for resurfacing streets in 6th Councilmanic District

(Bill No. S-79-08-51)
SPECIAL ORDINANCE NO. S-166-79

AN ORDINANCE approving a blanket purchase order - City Utilities Purchase Order No. B-1295 for Water Treatment Chemical for the Three Rivers Filtration Plant

(Bill No. S-79-08-52)
SPECIAL ORDINANCE NO. S-167-79

AN ORDINANCE approving Change Orders Numbered 2 and 3, Contract No. 77-W-2, in connection with Filtration Plant Additions

Respectfully yours,

Robert E. Armstrong
Mayor

Made a matter of record 9-25-79

Charles W. Westerman
City Clerk

COMMUNITY DEVELOPMENT AND PLANNING

COMMUNICATION FROM CITY PLAN COMMISSION

17 September 1979

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the CITY PLAN COMMISSION on one (1) ordinance concerning the amendment of the FORT WAYNE ZONING ORDINANCE BOOK (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-79-05-07

Respectfully submitted,

CITY PLAN COMMISSION

Thomas Adams
Secretary

Certified and signed this
17th day of September 1979

Made a matter of record 9-25-79

Charles W. Westerman
City Clerk

The City of Fort Wayne
Office of City Plan Commission

17 September 1979

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46801

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held June 25, 1979. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-79-05-07

2. From R-2 to M-2

3. Intended Use: Manufacturing

4. Plan Commission Recommendation: DO PASS with condition.

This ordinance received a DO PASS recommendation for the following reason:

This request is a logical extension of an industrial district.

CONDITION:

The petition shall submit a restrictive covenant stating that he will buffer the residential property to the west by means of a six (6) foot landscape or other decorative screen.

NOTE: Restrictive Covenant has been received by the Plan Commission staff.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

DEPARTMENT OF COMMUNITY DEVELOPMENT
AND PLANNING
Division of Long Range Planning and Zoning

Gary F. Baeten
Land Use Administrator

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 22, 1979, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-05-07, and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on June 18, 1979;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use plan to be amended, the amendment will be in the best interest of and benefit to the area involved and

of and to the City, and the amendment will not be detrimental to and does not conflict with overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 25, 1979

Thomas Adams
Secretary

Certified and signed this
17th day of September 1979

COMMUNITY DEVELOPMENT AND PLANNING

COMMUNICATION FROM CITY PLAN COMMISSION

17 September 1979

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the CITY PLAN COMMISSION on one (1) ordinance concerning the vacation of a dedicated alley.

The proposed ordinance is designated as:

BILL NO. G-79-07-31

Respectfully submitted,

CITY PLAN COMMISSION

Thomas Adams
Secretary

Certified and signed this
17th day of September 1979

Made a matter of record 9-25-79

Charles W. Westerman
City Clerk

The City of Fort Wayne
Office of City Plan Commission

17 September 1979

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46801

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) alley vacation ordinance acted upon by the City Plan Commission at their regular meeting held August 217, 1979. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-79-07-31

2. Intended Use: Vacated right-of-way will be utilized by the abutting property owners.

3. Plan Commission Recommendation: DO PASS with condition.

CONDITION: All necessary easements are dedicated.

NOTE: Easement dedications have been received by Plan Commission staff.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

DEPARTMENT OF COMMUNITY DEVELOPMENT
AND PLANNING
Division of Long Range Planning and Zoning

Gary F. Baeten
Land Use Administrator

COMMUNITY DEVELOPMENT AND PLANNING

COMMUNICATION FROM CITY PLAN COMMISSION

25 September 1979

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the CITY PLAN COMMISSION on one (1) ordinance concerning the amendment of the FORT WAYNE ZONING ORDINANCE BOOK (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-79-08-46

Respectfully submitted,

CITY PLAN COMMISSION

Thomas Adams
Secretary

Certified and signed this
25th day of September 1979

Made a matter of record 9-25-79 Charles W. Westerman
City Clerk

The City of Fort Wayne
Office of City Plan Commission

25 September 1979

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46801

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held September 24, 1979. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-79-08-46

2. From R1 to R3

3. Intended Use: Professional Office

4. Plan Commission REcommendation: DO PASS

   This ordinance received a DO PASS recommendation for the following reason:

   a. The Commission feels that the rezoning of the property would permit the development of the property in a manner which is compatible with the surrounding area.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

DEPARTMENT OF COMMUNITY DEVELOPMENT
AND PLANNING
Division of Long Range Planning and Zoning

Gary F. Baeten
Land Use Administrator

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 28, 1979, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-08-46, and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 17, 1979;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 25, 1979

Thomas Adams
Secretary

Certified and signed this
25th day of September 1979

COMMUNITY DEVELOPMENT AND PLANNING

COMMUNICATION FROM CITY PLAN COMMISSION

25 September 1979

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the CITY PLAN COMMISSION on one (1) ordinance concerning the amendment of the FORT WAYNE ZONING ORDINANCE BOOK (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-79-08-19

Respectfully submitted,

CITY PLAN COMMISSION

Thomas Adams
Secretary

Certified and signed this
25th day of September 1979

Made a matter of record 9-25-79

Charles W. Westerman
City Clerk

The City of Fort Wayne
Office of City Plan Commission

25 September 1979

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46801

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held September 24, 1979. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-79-08-19

2. From R2 & R3 to R1

3. Intended Use: Upgrade Neighborhood to Single Family

4. Plan Commission Recommendation: DO PASS

   This ordinance received a DO PASS recommendation for the following reason:

   a. This is a sound residential neighborhood that contains 77% single family homes. It is also a neighborhood which contains a substantial number of historically significant structures.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

DEPARTMENT OF COMMUNITY DEVELOPMENT
AND PLANNING
Division of Long Range Planning and Zoning

Gary F. Baeten
Land Use Administrator

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 14, 1979, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-08-19, and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 17, 1979;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 24, 1979

Thomas Adams
Secretary

Certified and signed this
25th day of September 1979

COMMUNITY DEVELOPMENT AND PLANNING

COMMUNICATION FROM CITY PLAN COMMISSION

25 September 1979

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the CITY PLAN COMMISSION on one (1) ordinance concerning the amendment of the FORT WAYNE ZONING ORDINANCE BOOK (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-79-08-44

Respectfully submitted,

CITY PLAN COMMISSION

Thomas Adams
Secretary

Certified and signed this
25th Day of September 1979

Made a matter of record 9-25-79

Charles W. Westerman
City Clerk

The City of Fort Wayne
Office of City Plan Commission

25 September 1979

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46801

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held September 24, 1979. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-79-08-44

2. From RA to B3B

3. Intended Use: Expansion of Imel Battery & Lead Company, Inc.

4. Plan Commission REcommendation: DO NOT PASS

   This Ordinance received a DO NOT PASS recommendation for the following reason:

   a. The Plan Commission recommended denial of the rezoning in light of what obviously is renewed interest in this area for residential development. They also feel that approval of the rezoning would seriously effect the continued development of Tamera Place Subdivision.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

DEPARTMENT OF COMMUNITY DEVELOPMENT
AND PLANNING
Division of Long Range Planning and Zoning

Gary F. Baeten
Land Use Administrator

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 28, 1979, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-08-44, and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 17, 1979;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use plan to be amended, the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 24, 1979

Thomas Adams
Secretary

Certified and signed this
25th day of September 1979

COMMUNICATION FROM THE CHAIRMAN OF PUBLIC SAFETY

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Attached herewith is an authenticated copy of the Board of Public Safety Regulatory Resolution Numbers 63/79/E, 64/79/D & 65/79/D

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

W. Terry Coonan
Chairman - Board of Public Safety

Made a matter of record 9-25-79

Charles W. Westerman
City Clerk

RETURN CERTIFICATE
(Regulatory Resolution No. 63/79/E,
64/79/D and 65/79/D)

I hereby certify that I did this 14th day of September, 1979 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 63/79/E, 64/79/E & 65/79/D of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Terry Coonan
Chairman, Board of Public Safety

REGULATORY RESOLUTION NO. 63/79/E

(Adopted September 13, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to THRU STREET (EMERGENCY) AND STOP INTERSECTION (EMERGENCY) AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 11, 1979 , submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the Office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective September 13, 1979 , and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

ESTABLISHED:

THRU STREET		(EMERGENCY)
High St.	--from--	Wells St to Sherman Blvd. execpt at Wells St & Sherman Blvd.

STOP INTERSECTION		(EMERGENCY)
Andrew ST.	--stop--	for Fourth St.
Putnam St.	--stop--	for Short St.
Putnam St.	--stop--	for Meridian St.

REGULATORY RESOLUTION NO. 64/79/D

(Adopted September 13, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 14 of said chapter delegates to this Board authority to PREFERNTIAL INTERSECTION (DELEGATED) AND DELETE: PREFERENTIAL INTERSECTION (DELEGATED); and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 11, 1979submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 14 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective September 13, 1979 and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

PREFERENTIAL INTERSECTION	(DELEGATED)	
Clark St.	--preferential--	at SEcond St.
Huffman St.	--preferential--	at Barthold St.
Huffman St.	--preferential--	at Meridian St.
Huffman St.	--preferential--	at Geller St.
Huffman St.	--preferential--	at Hensch St.
Huffman St.	--preferential--	at Kelly Dr.
Andrew St.	--preferential--	at Greenlawn Dr.
Andrew St.	--preferential--	at Archer Ave.
Hensch St.	--preferential--	at Archer Ave.
Cortland Ave.	--preferential--	at Florence Ave.
Hensch St.	--preferential--	at Florence Ave.
Andrew St.	--preferential--	at Florence Ave.
Meridian St.	--preferential--	at Greenlawn Ave.
Short St.	--preferential--	at Greenlawn Ave.

DELETE:

PREFERENTIAL INTERSECTION	(DELEGATED)	
Archer Ave.	--preferential--	at Andrew ST.
Archer Ave.	--preferential--	at Hensch St.
Florence Ave.	--preferential--	at Cortland Ave.
Florence Ave.	--preferential--	at Hensch St.
Florence Ave.	--preferential--	at Andrew St.
Greenlawn Ave.	--preferential--	at Meridian St.
Greenlawn Ave.	--preferential--	at Short St.
Putnam St.	--preferential--	at Short St.
Putnam St.	--preferential--	at Meridian St.

REGULATORY RESOLUTION NO. 65/79/D

(Adopted September 14, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 14 of said chapter delegates to this Board authority to PREFERENTIAL INTERSECTION (DELEGATED); and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 12, 1979submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 14 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective September 14, 1979 and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

PREFERENTIAL --preferential-- Southbound Old Trail Rd.

COMMUNICATION FROM THE CHAIRMAN OF PUBLIC SAFETY

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Attached herewith is an authenticated copy of the Board of Public Safety Regulatory Resolution Numbers 66/78/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

W. Terry Coonan
Chairman - Board of Public Safety

Made a matter of record 9-25-79 Charles W. Westerman
City Clerk

RETURN CERTIFICATE
(Regulatory Resolution No. 66/79/E)

I hereby certify that I did this 18th day of September, 1979 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 66/79/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Terry Coonan
Chairman, Board of Public Safety

REGULATORY RESOLUTION NO. 66/79/E

(Adopted September 18, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. SES. 54/79/E: STOP INTERSECTION (EMERGENCY) AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 17, 1979 , submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the Office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective September 18, 1979 , and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Lexington Ave. --stop-- for Hartman Rd.

COMMUNICATION FROM THE CHAIRMAN OF PUBLIC SAFETY

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Attached herewith is an authenticated copy of the Board of Public Safety Regulatory Resolution Numbers 67/79/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

W. Terry Coonan
Chairman - Board of Public Safety

Made a matter of record 9-25-79

Charles W. Westerman
City Clerk

RETURN CERTIFICATE
(Regulatory Resolution No. 67/79/E)

I hereby certify that I did this 19th day of September, 1979 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 67/79/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Terry Coonan
Chairman, Board of Public Safety

REGULATORY RESOLUTION NO. 67/79/E

(Adopted September 19, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to NO PARKING (EMERGENCY) AND DELETE: NO PARKING (EMERGENCY) AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 18, 1979 , submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the Office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective September 19, 1979 , and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING		(EMERGENCY)
Old Trail Rd.	--both sides--	from Prairie Grove Dr. to Bluffton Rd.

DELETE:

NO PARKING		(EMERGENCY)
Old Trail Rd.	--both sides--	from Prairie Grove Dr. to 1350' north thereof

COMMUNICATION FROM THE CHAIRMAN OF PUBLIC SAFETY

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Attached herewith is an authenticated copy of the Board of Public Safety Regulatory Resolution Numbers 68/79/D

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

W. Terry Coonan
Chairman - Board of Public Safety

Made a matter of record 9-25-79

Charles W. Westerman
City Clerk

RETURN CERTIFICATE
(Regulatory Resolution No. 68/79/D)

I hereby certify that I did this 25th day of September, 1979 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 68/79/D of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Terry Coonan
Chairman, Board of Public Safety

REGULATORY RESOLUTION NO. 68/79/D

(Adopted September 25, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 121 of said chapter delegates to this Board authority to NO PARKING (DELEGATED); and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 21, 1979submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 121 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective September 25, 1979and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING	(DELEGATED)	
St. Marys Ave.	--west side--	from Goshen Rd. to 140 ft. south thereof

INDIANA STATE HIGHWAY COMMISSION

Indiana State Highway Commission
100 North Senate Avene
Indianapolis, Indiana 46204

Room 1101, State Office Building

September 11, 1979

City Clerk
City-County Building
Fort Wayne, IN 46802

RE: US 27,33 & SR 1
City of Fort Wayne
Allen County
Turning movements

Dear Sir/Madam:

Attached is a copy of a resolution restricting turning movements at the above location as approved by the State Highway Commission on September 7, 1979.

Very truly yours,

Clinton A. Venable
Chief, Division of Traffic

cc: Mayor R. Armstrong
Clerk of Circuit Court
State Police
Ft. Wayne District

Made a matter of record 9-25-79 Charles W. Westerman
City Clerk

NOTICE OF OFFICIAL ACTION
OF
INDIANA STATE HIGHWAY COMMISSION

WHEREAS, under and by virtue of the Statutes of the State of Indiana relative to traffic regulation, the Indiana State Highway Commission has the authority

and the duty to adopt and promulgate regulations in the interest of the safety and convenience of the traveling public using the highways, including streets in cities and towns, under the control of said Commission, be it known that the following traffic regulation is hereby adopted:

Turning movements shall be restricted on US 27, 33 and SR 1 in the City of Fort Wayne, Allen County, as follows:

"NO "U" TURN" shall be established for southbound traffic on US 27, 33 and SR 1 (Clinton St..) at the nose of the island which separates northbound US 33, SR 1 (Northrop St.) from southbound US 27, 33 SR 1 (Northrup) at its junction with US 27,33 SR 1 (Clinton St.)

NOTE: This action amends and/or supersedes previous official action at the above named location (s).

ADOPTED THIS 7th DAY OF September 1979-

Approved: Clinton A. Venable Indiana State Highway Commission
Chief, Division of Traffic

Approved: Kenneth Hoover BY: Roger F. Marsh
Chief of Highway Operations Executive Director

Approved: G.U. Hallock ATTEST:
Chief Highway Engineer

Secretary to the Commission

APPOINTMENTS

ALLEN COUNTY ECONOMIC OPPORTUNITY COUNCIL

September 11, 1979

The following persons were appointed by the Common Council at the Regular Session of September 11, 1979, to the Allen County Economic Opportunity Council:

Robert E. Nichols

Angela Wright

REverend James Hall

Date: 9-11-79

Charles W. Westerman
City Clerk

ATTEST: (SEAL)

Made a matter of record 9-25-79

Charles W. Westerman
City Clerk

BILL NO. S-79-09-13

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving Civil City Purchase Order No. 4-06937 with Seastrom, Inc. for Leaf Receiver Boxes for the Street Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Civil City Purchase Order No. 4-06937, dated September 12, 1979, between the City of Fort Wayne, by and through the City Purchasing Director and the Board of Public Works and Seastrom, Inc., for the purchase of ten Leaf Receiver Boxes to be used with the Leaf Sweepers by the Street Department, at a cost of $11,500.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the first time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Finance

Date: 9-25-79

Charles W. Westerman
City Clerk

BILL NO. S-79-09-14

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving a Consultant Retainer Agreement between Jerry L. Stucky, M.D. and the City of Fort Wayne by and through its Mayor and Board of Public Safety for Medical Director of Emergency Medical Services

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a Consultant Retainer Agreement, dated June 1, 1979, between the City of Fort Wayne, by and through its Mayor and Board of Public Safety and Jerry L. Stucky, M.D., for retainment of Dr. Stucky as Medical Director of the Emergency Medical Services of the City all as more particularly set forth in said Agreement which is on file in the Office of the Board of Public Safety and is by reference incorporatedherein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the first time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Finance

Date: 9-25-79

Charles W. Westerman
City Clerk

BILL NO. S-79-09-18

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving a contract for Street Improvement Resolution No. 5850-79, between the City of Fort Wayne, Indiana and Dailey Asphalt Projects Co., Inc., Clinton, Calhoun, Spy Run Ext. and Wayne Streets

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated September 17, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Dailey Asphalt Products Company, Inc., Contractor, for:

> resurfacing Clinton Street from the northwest property line of Parkhill Avenue to the south curb line of Coliseum Blvd; Calhoun Street from the north curb line of Superior Street to the west curb line of Clinton Street; Spy Run Extended from the east property line of Clinton Street to the west property line of Parnell Avenue; and Wayne Street from the east curb line of Calhoun Street to the west curb line of Lafayette Street,

under Board of Works Street Improvement Resolution No. 5850-79, at a total cost of $241,838.00, all as more particularly set forth in said Contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the first time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Public Works

Date: 9-25-79

Charles W. Westerman
City Clerk

BILL NO. S-79-09-19

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving a contract for Street Improvement Resolution No. 5849-79, between the City of Fort Wayne, Indiana, and Dailey Asphalt Products Company, Inc., for Oxford Street, Main Street and Bluffton Road

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated September 17, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Dailey Asphalt Products Company, Inc., Contractor, for:

> resurfacing and restoring pavement on Oxford Street, from the east pavement line of Hessen Cassel to the east pavement line of Bueter Drive; Main Street, from the east property line of Van Buren Street to the east property line of Edgerton Street; and Bluffton Road, from the south pavement line of Engle Road to the southwest pavement line of Old Trail Road,

under Board of Public Works Street Improvement Resolution NO. 5849-79, at a total cost of $319,634.00, all as more particularly set forth in said Contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the first time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Public Works

Date: 9-25-79

Charles W. Westerman
City Clerk

BILL NO. S-79-09-20

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving a contract for Street Improvement Resolution No. 5848-79, between the City of Fort Wayne, Indiana and Fen-Guard, Inc., for Industrial Road

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated September 17, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Fen-Guard, Inc., Contractor, for:

installation of a Guardrail in the 5700 Block of Industrial Road,

under Board of Public Works Street Improvement Resolution No. 5848-79, at a total cost of $16,582.50, all as more particularly set forth in said Contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the first time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Public Works.

Date: 9-25-79

Charles W. Westerman
City Clerk

BILL NO. S-79-09-21

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving a contract for Sidewalk Improvement Resolution No. 5842-79, between the City of Fort Wayne, Indiana and L.W. Dailey, Inc., for Edgehill Avenue, Westbrook Drive and Jacobs Avenue

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated September 17, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and L.S. Dailey, Inc., Contractor, for:

> construction of sidewalks, curbs and drive approaches along Edgehill Avenue, Westbrook Drive and Jacobs Avenue, more specfically identified as Lots 158 through Lot 189 in Brookview Addition,

under Board of Public Works Sidewalk Improvement Resolution No. 5842-79, at a total cost of $44,940.00, of which will be paid by property owners under Barrett Law, all as more particularly set forth in said Contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the first time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Public Works

Date: 9-25-79

Charles W. Westerman
City Clerk

BILL NO. S-79-09-22

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving Change Order No. 1, Street Lighting Resolution No. 125-77 in connection with Central Business District

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1, Street Lighting Resolution No. 125-77, to T & F Construction Corporation, in connection with the Central Business District Project, E.D.A. 06-51-26289, for:

> additional street lighting and signalizations on Washington, Jefferson and Wayne Streets since bid was such that total Federal Grant permitted additional lighting for above-described area,

in the amount of $115,075.43, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the first time in full and on motion by Burns, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on City Utilities

Date: 9-25-79

Charles W. Westerman
City Clerk

BILL NO. S-79-09-23

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving a contract for Sewer Improvement Resolution No. 307-79, between the City of Fort Wayne, Indiana and T-G Excavating, Inc., Contractor for Ranchwood Subdivision, Phase I

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated September 17, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and T-G Excavating, Inc., Contractor, for installation of the following:

MAIN LINE

Beginning at an existing manhole located 10 ± L.F. South of the Northeast corner of lot 4 in Gerke's Tier Road Addition as recorded in Plat Book 8, page 157; thence East 275 ±L.F. to a proposed manhole; thence North 410 ± L.F. to a proposed manhole; thence East 630 ± L.F. along the South right-of-way line of South Drive to a proposed manhole; thence East 610 ± L.F. terminating at a proposed manhole located 10 ± L.F. East of the Northeast corner of lot 93 in Greendale Addition, Section B as recorded in Plat Book 21, page 128.

LATERAL #1

Beginning at a proposed manhole located 7 ± L.F. East of and 7 ± L.F. South of the Northwest corner of lot 57 in Greendale Addition as recorded in Plat Book 21, page 112; thence North 1120 ± L.F. along vacated Bueter Road to a proposed manhole; then East 1200 ± L.F. along the North right-of-way line of North Drive terminating at a proposed manhole located 10 ± L.F. East of the Southwest corner of lot 81 in Greendale Addition, Section B, as recorded in Plat Book 21, page 128.

LATERAL #2

Beginning at a proposed manhole located 30 ± L.F. East of and 7 ± L.F. South of the Northwest corner of lot 53 in Greendale Addition as recorded in Plat Book 21, page 112; thence North 970 ± L.F. along the centerline of an existing utility easement terminating at a proposed manhole located 10 ± L.F. north of the Southwest corner of lot 42 in Greendale Addition as recorded by Plat Book 21, page 112.

LATERAL #3

Beginning at a proposed manhole located on the Southeast corner of lot 3 in Greendale Addition as recorded by Plat Book 21, page 112; thence North 1010 ± L.F. along the centerline of an existing utility easement terminating at a proposed manhole located 10 ± L.F. North of the Southeast corner of lot 13 in said Greendale Addition.

LATERAL #3-A

Beginning at a proposed manhole located on the Southeast corner of lot 3 in Greendale Addition as recorded by Plat Book 21, page 112; thence South 412 ± L.F. along an existing utility easement terminating at a proposed manhole located on the Southwest corner of lot 63 in Greendale Addition, Section B, as recorded by Plat Book 21, page 128.

LATERAL #3-B

Beginning at the above described terminus manhole of lateral 3-A; thence West 65 ± L.F. along the centerline of an existing utility easement terminating at a proposed cleanout.

LATERAL #3-C

Beginning at the above described terminus manhole of lateral 3-A; thence East 65 ± L.F. along the centerline of an existing utility easement terminating at a proposed cleanout.

LATERAL #4

Beginning at a proposed manhole located 10 ± L.F. East of the Northeast corner of lot 93 in Greendale Addition, Section B, as recorded in Plat Book 21, page 128; thence, North 1010 ± L.F. along the West right-of-way line of Ellwood Drive terminating at a proposed manhole located 10 ± L.F. East of and 10 ±L.F. North of the Southeast corner of lot 82 in said Greendale Addition Section B.

LATERAL #4-A

Beginning at the same proposed manhole as lateral 4; thence South 330 ± L.F. along the West right-of-way line of Ellwood Drive terminating at a proposed manhole located 10 ± L.F. South of the Southeast corner of lot 95 in Greendale Addition. Section B, as recorded by Plat Book 21, page 128.

Said sewer shall be 10" and 8" in diameter.

under Board of Public Works Sewer Improvement Resolution No. 307-79, at a total cost of $299,904.25, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the first time in full and on motion by Burns, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on City Utilities

Date: 9-25-79

Charles W. Westerman
City Clerk

BILL NO. S-79-09-24

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving an Agreement with Northwest Allen County Schools for construction of a sanitary sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement dated September 12, 1979, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Northwest Allen County Schools, Developer, for:

SANITARY SEWER

Beginning at existing manhole #83 of Res. #273, of the St. Joe Sanitary Interceptor, located 30.5 ± L.F. South of the centerline of Carroll Road and 580 ± L.F. East of the centerline of the G.R. & I. Railroad, thence North 30° 00' West 77 ± L.F. to proposed manhole #1 located 35 ± L.F. North of the centerline of Carroll Road, thence West along a line parallel with Carroll Road a distance of 4431 ± L.F. and terminating at proposed manhole #13 located 35 ± L.F. North of and 25 ± L.F. East of the centerline intersection of Carroll Road and Bethel Road.

of which the developer shall pay the entire cost and expense of the construction of said sewer except for $96,571.00 from City Utilities for oversizing differential, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the first time in full and on motion by Burns, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on City Utilities

Date: 9-25-79

Charles W. Westerman
City Clerk

BILL NO. S-79-09-25

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving an Agreement
with A.D. Delagrange Construction, Inc.,
for construction of a sanitary sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement dated September 10, 1979, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and A. D. Delagrange Construction, Inc., Developer, for:

SANITARY SEWER

Orchard Woods, Section B

MARKWOOD-TANGERINE LANE

Beginning at an existing manhole located at the northeast corner of Springbrook Road and Markwood Road; thence northerly along the east side of Markwood Road a distance of 315 ± feet to a proposed manhole; thence westerly in and along Tangerine Lane 165 ± feet to a proposed manhole; thence northerly in and along the east side of Tangerine Lane 385 ± feet; terminating at a proposed manhole located at the southwest corner of Lot 87, Orchard Woods, Section B.

LATERAL "A"

Beginning at Manhole #1 located on the aforedescribed sewer on the north side of Apricot Court and in the southwest corner of Lot 80 in Orchard Woods, Section B; thence easterly along the north side of Apricot Court a distance of 245 ± feet, terminating at a proposed clean-out at the southwest corner of Lot 76 in Orchard Woods, Section B.

LATERAL "B"

Beginning at a proposed manhole on the aforedescribed Lateral "A" located at the southeast corner of Lot 79 in Orchard Woods, Section B; thence north in and along a proposed easement between Lots 78 and 79, a distance of 150 ± feet, terminating at a proposed clean-out located at the northeast corner of said Lot 79.

LATERAL "C"

Beginning at manhole #2 located on the aforedescribed Tangerine Lane sewer located on the east side of Tangerine Lane; thence westerly in and along an easement between lots 67 and 68 and the westerly extension thereof across Lot 6, Clearview Addition a distance of 400 ± feet to a proposed manhole; thence northwesterly in and along a proposed easement across a portion of Lot 5 in Clearview Addition a distance of 180 ± feet terminating at a proposed manhole.

Said sewer shall be eight (8) inches in diameter.

of which the developer shall pay the entire cost and expense of the construction of said sewer, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the first time in full and on motion by Burns, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on City Utilities

Date: 9-25-79

Charles W. Westerman
City Clerk

BILL NO. S-79-09-26

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving City Utilities Purchasing Order No. 001350 with IBM Corporation for Information Processing System for the Water Engineering Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 001350, dated September 5, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and IBM Corporation for:

One IBM 6/440 Information Processing System for the Water Engineering Department,

at a cost of $16,395.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the first time in full and on motion by Burns, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on City Utilities

Date: 9-25-79

Charles W. Westerman
City Clerk

BILL NO. S-79-09-28

SPECIAL ORDINANCE NO. S-

ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE TO ISSUE ITS "ECONOMIC DEVELOPMENT FIRST MORTGAGE REVENUE BONDS, SERIES 1979 (REAL ESTATE DEVELOPMENT, LTD. PROJECT)" AND APPROVING OTHER ACTIONS IN RESPECT THERETO

WHEREAS, the Fort Wayne Economic Development Commission has been duly created by the City of Fort Wayne, Indiana, and the members of the Commission have been duly appointed and qualified pursuant to law; and

WHEREAS, the Fort Wayne Economic Development Commission has prepared and filed with the City Plan Commission its report entitled "Report of Fort Wayne Economic Development Commission Regarding Facilities to be Constructed for Real Estate Development, Ltd."; and

WHEREAS, the City Plan Commission has filed its written comments concerning the proposed economic development facilities and approving the same; and

WHEREAS, the Fort Wayne Economic Development Commission, after a public hearing conducted on September 18, 1979, adopted a Resolution on the same date, which Resolution has been transmitted hereto, finding that the financing of certain economic development facilities (the "Project") of Real Estate Development, Ltd. complies with the purposes and provision of I.C. 1971, 18-6-4.5, as supplemented and amended (the "Act"), and that such financing will be of benefit to the health and welfare of the City of Fort Wayne and its citizens; and

WHEREAS, the Fort Wayne Economic Development Commission has heretofore approved and recommended to this Common Council that it adopt this form of Ordinance and has approved the forms of and has transmitted for approval by this Common Council the Loan Agreement between the City of Fort Wayne and the Company (the "Agreement"), Mortgage and Security Agreement from the Company to the City of Fort Wayne (the "Mortgage"), an Assignment of such Mortgage (the "Assignment") from the City of Fort Wayne to Indiana Bank and Trust Company (the "Trustee") and a Trust Indenture between the City of Fort Wayne and the Trustee (the "Indenture"); now, therefore,

BE IT ORDAINED by the Common Council of the City of Fort Wayne Indiana, that:

Section 1. It is hereby found and determined that the financing of the economic development facilities constituting the Project and referred to in the Loan Agreement approved by the City of Fort Wayne Economic Development Commission and presented to this Common Council, the issuance and sale of $1,500,000 Economic Development Revenue Bond of the City of Fort Wayne, the use of the net proceeds thereof for the construction and equipment of such facilities, the payment of principal of, premium, if any, and interest on such bond from rental payments pursuant to the Agreement, and the securing of said bond by the mortgaging of the Project to the Trustee pursuant to the Mortgage and the Assignment, all as previously approved by the City of Fort Wayne Economic Development Commission and presented to this Common Council, will be of benefit to the health and welfare of the City of Fort Wayne and its citiizens and complies with the purposes and provisions of the Act.

Section 2. The forms of the Agreement, the Mortgage, the Assignment and the Indenture approved by the City of Fort Wayne Economic Development Commission are hereby approved. Such documents collectively shall be considered the "Financing Agreement" referred to in the Act. Such documents shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the City Clerk.

Section 3. The City of Fort Wayne hereby determines that an economic development revenue bond shall be issued pursuant to the Act in the principal amount of $1,500,000 for the aforesaid purpose. Such bond shall be designated "City of Fort Wayne Economic Development Revenue Bond (Real Estate Development, Ltd. Project)" (the "Bond"), and shall be issued for the purpose of procuring funds to make a loan to Real Estate Development, Ltd. who shall use such proceeds to pay the costs of construction and equipment of the economic development facilities constituting the Project, as more particularly set out in the Indenture and Agreement incorporated herein by reference, which Bond shall be issued in the form and denomination and shall be executed, dated, be subject to redemption on the dates and at the prices as provided in the above described Indenture, and more particularly as provided in the form of Bond appearing in such Indenture, which form is specifically approved. The Bond will be payable as to principal, premium, if any, and interest from the loan payments made by Real Estate Development, Ltd. under the Agreement and from other revenues and income realized under the Agreement, or as otherwise provided in the above described Indenture. The Bond shall never constitute a general obligation of, an indebtedness of, or a charge against the general credit of the City of Fort Wayne.

Section 4. The Mayor and the City Clerk are authorized and directed to sell the Bond to the Trustee, as the original purchaser thereof at a rate of interest not to exceed 8-3/4% per annum and at a price of 100% of the principal amount thereof. The Bond shall be scheduled to mature in monthly installments over a period of twenty years, as more specifically set forth in the Bond. Payments of principal of, premium, if any, and interest on the Bond shall be made in the manner and on the dates prescribed in the bond and in the Agreement.

Section 5. The Mayor and the City Clerk be and they are hereby authorized and directed to execute the documents constituting the Financing Agreement approved herein on behalf of the City of Fort Wayne and any other document which may be necessary or desirable to consummate the transaction including, without implied limitation, the Bond authorized herein and financing statements to be utilized in connection with the perfection of security agreements. The forms of the documents constituting the Financing Agreement shall be subject to such changes as are not inconsistent with this Ordinance and as may be approved by the officers executing the same, which approval shall be conclusively evidenced by the execution of such documents by the Mayor and/or the City Clerk.

The signatures of the Mayor and the City Clerk on the Bond and coupons, if any, may be facsimile signatures. The City Clerk is authorized to arrange for delivery of the Bond to the Trustee against payment therefor by such Trustee.

Section 6. At the time of issuance, delivery and payment for the Bond, the Bond Fund Payment (as defined in the Indenture) shall be deposited from the purchase price for the Bond into the Bond Fund (as hereinafter defined).

There is hereby created by the City of Fort Wayne and ordered maintained as a separate deposit account (except when invested as hereinafter provided) in the custody of the Trustee a trust fund to designated "City of Fort Wayne - Real Estate Development, Ltd. Construction Fund" (herein called the Construction Fund"). After deducting the Bond Fund Payment required by the proceeding paragraph to be paid otherwise than to the Construction Fund, the balance of the proceeds of the Bond shall be deposited in the Construction fund as the Loan to the Company provided for in the Agreement. Moneys in the Construction Fund shall be disbursed by the Trustee in accordance with the provisions of the Agreement, and the Trustee is hereby authorized and directed to issue its check for each disbursement required by the provisions of the Agreement. The City of Fort Wayne covenants and agrees promptly to take whatever action, if any, is necessary in approving and ordering all such disbursements.

The moneys to the credit of the Construction Fund shall, pending application thereof as above set forth, be subject to a lien and charge in favor of the Trustee as the original purchaser of the Bond, but only to the extent of its interest herein.

Section 7. As provided in the Agreement, payments sufficient in time and amount to pay the Bond service charges as they come due, are to be paid by the Company directly to the Trustee for the account of the City of Fort Wayne and deposited in the Bond Fund. Under the provisions of the Agreement, payments with respect to the promissory note delivered by the Company to the City of Fort Wayne and assigned to the Trustee (the "Note") shall be deposited into the Bond Fund for the account of the City of Fort Wayne and shall constitute Loan Payments. Rentals paid by the Prime Lessee and other lessees are to be paid directly to the Trustee and, to the extent necessary, shall be deposited in the Bond Fund, constituting a credit to the Company against Loan Payments to be made by it.

There is hereby created by the City of Fort Wayne and ordered maintained, as a separate deposit account (except when invested as hereinafter provided) in the custody of the Trustee, a trust fund to be designated "City of Fort Wayne - Real Estate Development, Ltd. Revenue Bond Fund" (herein called the "Bond Fund"). The Bond Fund (and accounts therein provided for in the

Indenture or in the Agreement) and the moneys and investments therein are hereby pledged to and shall be used solely and exclusively for the payment of Bond service charges as they fall due at stated maturity or by redemption or pursuant to any mandatory sinking fund requirements, all as provided herein and in the Indenture and the Agreement, provided that no part thereof (other than any amounts paid as and for any mandatory sinking fund requirements, and except as may otherwise be provided for herein and in the Indenture or the Agreement) shall be used to redeem, prior to maturity, and Bonds.

There shall be deposited into the Bond Fund (and credited, if required by the Indenture or the Agreement, to appropriate accounts therein), as and when received, (a) all Loan Payments and (b) all other Pledged Receipts, except those amounts required by the Indenture or the Agreement to be deposited in the Construction Fund or any other separate insurance or condemnation proceeds account.

The City of Fort Wayne hereby covenants and agrees that so long as any of the Bonds are outstanding it will deposit, or cause to be deposited, in the Bond Fund Pledged Receipts sufficient in time and amount to pay the Bond service charges as the same become due and payable, and to this end the City of Fort Wayne covenants and agrees that, so long as any Bonds are outstanding, it will diligently and promptly proceed in good faith and use its best efforts to enforce the Agreement, and that, should there be an event of default under the Agreement, the City of Fort Wayne shall fully cooperate with the Trustee to protect fully the rights and security of the Bondholders hereunder. Nothing herein shall be construed as requiring the City of Fort Wayne to use or apply to the payment of Bond service charges any funds or revenues from any source other than Pledged Receipts.

The City of Fort Wayne covenants and agrees, whenever the moneys and investments in the Bond Fund (or otherwise held by the Trustee for such purpose) are sufficient in amount to redeem all of the Bonds then outstanding and to pay interest to accrue thereon to the date or dates of such redemption, to take and cause to be taken, at the direction of the Company, the necessary steps to redeem all of said Bonds on the next succeeding redemption date or dates for which the required notice of call for redemption may be given.

Section 8. At the request of the Company and with the written consent of the Trustee, if the Company is not then in default under the Agreement, the City of Fort Wayne, to the extent permitted by law (including the Act) then in effect and for purposes consistent with the Act (as defined in the Indenture), shall use its best efforts to issue Additional Bonds from time to time to provide loans to the Company for: (i) completion of the Project, including additional costs incurred in providing the Project, or (ii) the acquisition for the Project

of additional real estate or interests therein, or repairs to the Project of a major nature arising from casualty or unanticipated conditions, or (iii) the acquisition, construction and installation of additional economic development facilities to be used in connection with the Project and to be located on the site of the Project, or to be used in connection with other facilities located within the boundaries of the City of Fort Wayne which are owned in whole or in part by the Company, or any combination thereof, or (iv) refunding the Bond or any one or more series of Additional Bonds, or (b) any combination of the foregoing; provided, that the proceeds of any Additional Bonds shall, except to the extent issued for the purpose described in clause (iv), be used solely to pay permissible costs under the Act. Such Additional Bonds shall be on a parity with the Bond and any Additional Bonds theretofore or thereafter issued. Before any Additional Bonds are authenticated there shall be delivered to the Trustee the items required by Section 2.08 of the Indenture and (a) any necessary amendment of the Agreement to provide for increased Loan Payments so that the aggregate of the Loan Payments thereafter payable under the Agreement shall be sufficient in amount to make all required payments into the Bond Fund in order to pay when due Bond service charges on all Bonds then to be outstanding, and for all Additional Payments (as defined in the Agreement) by the Company under the provisions of the Agreement and the Bond Legislation, and (b) either the opinion of nationally recognized bond counsel or a ruling of the Internal Revenue Service of the United States Department of Treasury that the issuance of such series of Additonal Bonds will not adversely affect the exemption from Federal income taxation of the interest paid or payable on any outstanding Bonds.

Section 9. The City of Fort Wayne will restrict the use of the proceeds of the Bond in such manner and to such extent, if any as may be necessary, after taking into account reasonable expectation at the time the Bond are delivered to the Trustee, so that it will not constitute an "arbitrage bond" under Section 103(c) of the Internal Revenue Code of 1954, as amended. The Mayor or any other officer having responsibility with respect to the issuance of the Bond, is authorized and directed, alone or in conjunction with any of the foregoing or with any other officer,employee, consultant or agent of the Common Council of the City of Fort Wayne, or any officer of the Company, and upon receipt of satisfactory indemnities, to give an appropriate certificate on behalf of the City of Fort Wayne, for inclusion in the transcript of proceedings for the Bond, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to said Section 103(c).

Section 10. The City of Fort Wayne hereby elects, with respect to the Bond, to be within the limitations imposed by the provisions of Section 103(b) (6) (D) of the Code and the Mayor or Clerk of the City of Fort Wayne is hereby authorized and directed to perform any and all acts provide such information as may be required by the Secretary of the Tresuary, his delegate or the Internal Revenue Service in order to implement such election, and any and all acts hereto fore taken pertaining to such election and relating to such requirements are hereby ratified and confirmed .

Section 11. The provisions of this Ordinance, the Agreement and the Indenture securing the Bond shall constitute a contract between the City of Fort Wayne and the Trustee, and after the issuance of the Bond, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such Trustee so long as any portion of the Bond or the interest thereon remains unpaid.

Section 12. The actions of the Mayor or any other officer of the City in doing any and all acts necessary in connection with the construction and equipping of the Project and the issuance of the Bond are hereby ratified and confirmed.

Section 13. The proper officers, agents and employees of the City are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary in connection with the construction and equipping of the Project and the issuance of the Bond.

Section 14. All Ordinances or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 15. It is hereby found and determined that all official actions of this Common Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Common Council, and that resulted in such official action were taken in meetings open to the public in full compliance with applicable legal requirements, including I.C. 5-14-1.5-7.

Section 16. This Ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the first time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Finance

Date: 9-25-79

Charles W. Westerman
City Clerk

BILL NO. Z-79-09-16

ZONING MAP ORDINANCE NO. Z-

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. J-3

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. J-3, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

Lots Numbered 1, 2, 3, and 6 Dreisbach's First Addition to the City of Fort Wayne, subject to Legal Roads and Highway.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the first time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Regulations and the City Plan Commission for recommendation.

Date: 9-25-79

Charles W. Westerman
City Clerk

BILL NO. Z-79-09-17

ZONING MAP ORDINANCE NO. Z-

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. L-26

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M-1 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. L-26, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

The South one-half of vacated Southfort Drive abutting Lots 15 through 26, Section "A", North Park Addition and the West one-half of vacated Meridian Street lying west of and adjacent to Lots 14 and 15, Section "A" North Park Addition produced northerly to the North line of vacated Southfort Drive as aforesaid together with the east 116 feet of the West 266 feet of real estate lying north of said vacated Southfort Drive.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the first time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Regulations and the City Plan Commission for recommendation.

Date: 9-25-79

Charles W. Westerman
City Clerk

BILL NO. R-79-09-15

RESOLUTION NO. R-

A RESOLUTION authorizing payment of medical expenses of Keith Daniel Murray, former policeman of the City of Fort Wayne, injured in the line of duty on July 18, 1975

WHEREAS, Keith Murray was injured in the line of duty the 18th day of July, 1975, while employed by the City of Fort Wayne as a policeman; and

WHEREAS, his injury in the line of duty was acknowledged by a letter written by the Chief of Police of the City of Fort Wayne the 11th day of May, 1977, a copy of which letter is attached to this Resolution; and

WHEREAS, Keith Daniel Murray was placed on disability retirement status on the 18th day of June, 1977; and

WHEREAS, Indiana Code 19-1-13-1 directs any city which maintains a police department to pay for the care of any policeman who suffers an injury while performing his duty, and to provide for such policeman's medical and surgical care, medicines, laboratory, curative and palliative agents and means, and X-ray, diagnostic and therapeutic service, during the recovery of any such policeman from any injury; and provide hospital and special nursing care for any policeman if the physician or surgeon in charge deems such hospital care and a special nurse necessary, and for the best interest in the aid of the recovery of any such policeman, and

WHEREAS, Indiana Code 19-1-13-2 states any city maintaining a paid police department pay for the medical expenses as set out aforesaid for any policeman injured in the line of duty from the general fund; and

WHEREAS, on the 18th day of July, 1975, and at all times since that date the City of Fort Wayne has maintained a paid police department, and, therefore, governed by the mandates of Indiana Code 19-1-13-1 and 19-1-13-2; and

WHEREAS, the medical insurance in force the 18th day of July, 1975, carried by the City of Fort Wayne, did not pay for all of the medical, pharmaceutical, and hospital expenses incurred by Keith Daniel Murray as a result of his injury the 18th day of July, 1975; and

WHEREAS, as a result of his injuries sustained the 18th day of July, 1975, Keith Daniel Murray is fully disabled and unable to obtain gainful employment and medical insurance; and

WHEREAS, Keith Daniel Murray, in addition to the unpaid medical expenses not otherwise paid by the medical insurance carrier by the City of Fort Wayne, has need for continued medication, doctor's expenses, and immediate need for further hospitalization and surgery; and

WHEREAS, more than one year last past request was made of the Honorable Robert Armstrong to follow the mandates of Indiana Code 19-1-13-1 and 19-1-13-2, without an affirmative reply from either the Mayor or the Legal Department of the City of Fort Wayne; and

WHEREAS, on the 11th day of September, 1979, a letter was

delivered to the office of the Mayor requesting written acknowledgement of the obligations of the City of Fort Wayne to pay the medical expenses of Keith Daniel Murray, and further advising the Mayor the intention to introduce a Resolution of this nature, and further informing the Mayor on behalf of Keith Daniel Murray, by his attorney, of his intention to file legal action to enforce the claim of Keith Daniel Murray for payment of his medical expenses, and the Mayor did not reply affirmatively; and

WHEREAS, the legal obligations proposed by the aforesaid statutes as well as the strong moral obligations to Keith Daniel Murray, clearly dictate that his medical care be paid by the City of Fort Wayne.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Controller of the City of Fort Wayne be and is hereby authorized to pay out of the General Fund of the City of Fort Wayne all expenses for medical, medical care, surgical care, medicines, laboratory expenses, X-ray expenses, diagnostic expenses, therapeutic services, pharmaceuticals and drugs, hospital expenses, physician expenses and nursing expenses incurred by Keith Daniel Murray as a result of his injuries sustained in the line of duty the 18th day of July, 1975, which said expenses have not been paid by any medical or hospitalization insurance carried by the City of Fort Wayne the 18th day of July, 1975, which insurance Keith Daniel Murray was a beneficary.

SECTION 2. That the Controller of the City of Fort Wayne be and is hereby authorized to pay for all future expenses for medical, medical care, surgical care, medicines, laboratory expenses, X-ray expenses, diagnostic expenses, therapeutic services, pharmaceuticals and drugs, hospital expenses, physician expenses and nursing expenses incurred by Keith Daniel Murray as a result of his injuries sustained in the line of duty the 18th day of July, 1975.

SECTION 3. That this Resolution shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the first time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Finance

Date: 9-25-79

Charles W. Westerman
City Clerk

BILL NO. S-79-09-01

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance approving an Agreement to purchase Real Estate from Melvin and Dorothy Staten for Neighborhood Care, Inc. have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Vivian G. Schmidt
William T. Hinga
James S. Stier
John Nuckols
Donald J. Schmidt

Concurred in 9-25-79

Charles W. Westerman
City Clerk

BILL NO. S-79-09-01

SPECIAL ORDINANCE NO. S-168-79

AN ORDINANCE approving an Agreement to purchase Real Estate from Melvin and Dorothy Staten for Neighborhood Care, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to Purchase Real Estate dated May 10, 1979, between the City of Fort Wayne, by and through its Mayor and Neighborhood Care, Inc., and Melvin and Dorothy Staten, for

Lot #11 Edward White Addition, Fort Wayne, Indiana

for the total cost of $1,950.00, all as more particularly set forth in said agreement which is on file in the Office of Neighborhood Care, Inc., and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
Hunter

Date: 9-25-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-168-79 on the 25th day of September, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of September, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1979, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-09-02

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance approving Civil City Purchase Order No. 4-06874 with Ries Equipment Co., Inc. for leaf vacuum sweepers for the Street Department have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Vivian G. Schmidt
William T. Hinga
James S. Stier
John Nuckols
Donald J. Schmidt

Concurred in 9-25-79

Charles W. Westerman
City Clerk

BILL NO. S-79-09-02

SPECIAL ORDINANCE NO. S-169-79

AN ORDINANCE approving Civil City Purchase Order No. 4-06874 with Ries Equipment Co., Inc. for leaf vacuum sweepers for the Street Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Civil City Purchase Order No. 4-06874, dated August 27, 1979, between the City of Fort Wayne, by and through the City Purchasing Director and the Board of Public Works and Ries Equipment Company, Inc., for the purchase of five Leaf Vacuum Sweepers to be used for Fall leaf pickup by the Street Department, at a cost of $24,950.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
Hunter

Date: 9-25-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-169-79 on the 25th day of September, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of September, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1979, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-09-29

RESOLUTION NO. R-53-79

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $800,000 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant to proceed with the acquisition, construction and equipping of the Project

WHEREAS, the City of Fort Wayne, Indiana (the "Issuer") is authorized by I.C. 18-6-4.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities either directly or by loan to a company and said facilities to be either directly owned by a company or leased to a company or sold to a company; and

WHEREAS, the Gridcraft, Inc. (the "Applicant") has advised the Fort Wayne Economic Development Commission and the Issuer that it proposes that the Issuer acquire, construct and equip an economic development facility and sell or lease the same to the Applicant or that the Issuer loan the proceeds of such a financing to the Applicant for such purposes said economic development facility to be used for designing and manufacuring printed circuit boards and other types of electronic assemblies, located at 14520 Lima Road, Fort Wayne, Indiana, on approxiamately 7.5 acres in Huntertown, Allen County (the "Project"); and

WHEREAS, Gridcraft, Inc. will guarantee all bonds payments; and

WHEREAS, the diversification of industry and increase in 24-31 job opportunities with an estimated annual payroll of $281,000 to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health safety and general welfare of the Issuer and its citizens; and

WHEREAS, having received the advice of the Fort Wayne Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the facility will not have an adverse competititve effect on any similar facility already constructed or operating in or about Fort Wayne, Indiana;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of Fort Wayne:

1. The Common Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near Fort Wayne, Indiana and in Allen County, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that Fort Wayne Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

2. The Common Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds in an amount not to exceed $800,000 of the Issuer under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such a financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of the Project, the Common Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof, provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

4. All costs of the Project incurred after the passage of this inducement resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter either sell or lease the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purposes.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-25-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-53-79 on the 25th day of September, 1979.

ATTEST: (SEAL)

Charles W. Westerman Winfield C. Moses, Jr.
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of September, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1979, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-79-05-07

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on REgulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. P-2 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

John Nuckols
Samuel J. Talarico
Vivian G. Schmidt
James S. Stier

Concurred in 9-25-79 Charles W. Westerman
City Clerk

BILL NO. Z-79-05-07

ZONING MAP ORDINANCE NO. Z-23-79

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. P02

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M2 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. P-2, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

Lots No. 38, 39, 40 and 41 in Whites Second Addition
to the City of Fort Wayne, Indiana.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-25-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-23-79 on the 25th day of September, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of September, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1979, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-79-07-28

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending General Ordinance No. G-97 by authorizing the vacation of a certain utility easement in Crestwood Colony have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

John Nuckols
Samuel J. Talarico
Vivian G. Schmidt
James S. Stier

Concurred in 9-25-79

Charles W. Westerman
City Clerk

BILL NO. G-79-07-28

GENERAL ORDINANCE NO. G-20-79

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain utility easement in Crestwood Colony

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain easement having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 18-7-5-46), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following easement, to wit:

Dedicated utility easement lying between Lots 526 and 527 in Section 1, Crest Wood Colony, an Addition to the City of Fort Wayne, Indiana.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-25-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-20-79 on the 25th day of September, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of September, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1979, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-79-07-29

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending General Ordinance No. G-97 by authorizing the vacation of a certain alley north on Main Street have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

John Nuckols
Samuel J. Talarico
Vivian G. Schmidt
James S. Stier

Concurred in 9-25-79

Charles W. Westerman
City Clerk

BILL NO. G-79-07-29

GENERAL ORDINANCE NO. G-21-79

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley north of Main Street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 18-7-5-46), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of of Fort Wayne on November 26, 1963, is amended by deleting the following alley, to wit:

North/South alley between Harrison and Calhoun Streets from north right-of-way of Main Street to southerly right-of-way of East/West alley between Main Street and the Landing.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-25-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General ORdinance No. G-21-79 on the 25th day of September, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of September, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1979, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-09-08

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance approving Change Order No. 1 Sidewalk Improvement Resolution No. 5829-79 in connection with Oxford PH IV and Larez PH II Project have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

William T. Hinga
Paul M. Burns
Fredrick R. Hunter
Donald J. Schmidt
James S. Stier

Concurred in 9-25-79

Charles W. Westerman
City Clerk

BILL NO. S-79-09-08

SPECIAL ORDINANCE NO. S-170-79

AN ORDINANCE approving Change Order No. 1
Sidewalk Improvement Resolution No. 5829-79
in connection with Oxford PH IV and Larez PH II
Project

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1, Sidewalk Improvement Resolution No. 5829-79, to Hipskind Concrete Corporation, in connection with Oxford PH IV and Larez PH II Project, for:

> additional sidewalk and curb construction previously omitted, when it was thought there would be insufficient funds to cover total construction herein,

in the amount of $9,938.00, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: NOne

Date: 9-25-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-170-79 on the 25th day of September, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of September, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1979, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-09-09

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance approving a contract for Street Improvement Resolution No. 137-79 between the City of Fort Wayne, IN and T & F Construction Corp., Contractor for ornamental street lighting for Harrison Hill area have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Paul M. Burns
Samuel J. Talarico
Vivian G. Schmidt
Donald J. Schmidt
James S. Stier

Concurred in 9-25-79

Charles W. Westerman
City Clerk

BILL NO. S-79-09-09

SPECIAL ORDINANCE NO. S-171-79

AN ORDINANCE approving a contract for
Street Improvement Resolution No. 137-79
between the City of Fort Wayne, Indiana
and T & F Construction Corp., Contractor
for ornamental street lighting for
Harrison Hill Area

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated August 27, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and T & F Construction Corporation of Indiana, contractor, for:

installation of ornamental street lighting for the
Harrison Hill Area,

under Board of Public Works street light Resolution No. 137-79, at a total cost of $87,984.00, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporation herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-25-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-171-79 on the 25th day of September, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of September, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1979, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-09-10

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance approving Change Order No. 2 Sewer Improvement Resolution No. 302-78 in connection with Kruge Place Addition Sewer Project have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Paul M. Burns
Samuel J. Talarico
Vivian G. Schmidt
Donald J. Schmidt
James S. Stier

Concurred in 9-25-79

Charles W. Westerman
City Clerk

BILL NO. S-79-09-10

SPECIAL ORDINANCE NO. S-172-79

AN ORDINANCE approving Change Order No. 2
Sewer Improvement Resolution No. 302-78
in connection with Kruge Place Addition
Sewer Project

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 2, Sewer Improvement Resolution No. 302-78, to Bercot, Inc., in connection with Kruge Place Addition Sewer Project, for:

additional 15" pipe and standard manholes Type I-A
to to increase service potential of this sewer,
especially areas west of terminus of project,

in the amount of $12,587.00, as set out in the specifications, is hereby in all things, ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt,
V. Schmidt, Stier, Talarico
Nays: None

Date: 9-25-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-172-79 on the 25th day of September, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of September, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1979, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. X-77-06-27 (AS AMENDED)

REPORT OF THE COMMITTEE ON ANNEXATION

We, your Committee on Annexation to whom was referred an Ordinance annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 3 (CONCORDIA GARDENS) have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS (AS AMENDED)

AMENDMENT: Effective December 31, 1979

James S. Stier
Vivian G. Schmidt
Samuel J. Talarico

Concurred in 9-25-79

Charles W. Westerman
City Clerk

BILL NO. X-77-06-27 (AS AMENDED)

ANNEXATION ORDINANCE NO. X-05-79

AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 3

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, effective December 31, 1979, to-wit:

Commencing at the intersection of the east right-of-way line of Red Haw Drive and the west right-of-way line of N. Clinton Street (Leo Road); thence northeast along the west right-of-way line of N. Clinton Street (Leo Road) to a line projected west from the north property line of Concordia Senior College; thence east along said projected line and continuing along north property line of Concordia Senior College and a line projected east to the normal centerline of the St. Joseph River, this line being the present Corporate Limits; thence in a northerly direction following the meanderings of the centerline of the St. Joseph River to its intersection with a projection east of the north line of Concordia Gardens Addition; thence west along said projection and the north line of Concordia Gardens Addition to the east right-of-way line of Leo Road; thence southerly along the east right-of-way line of Leo Road to the south right-of-way line of Auburn Road; thence northwesterly along south right-of-way of Auburn Road to east right-of-way line of Interstate Highway 69; thence southwesterly along east right-of-way line of Interstate Highway 69 to its intersection with the present Corporate Limits, a point approximately 1937.5 feet north of the south line of the NE 1/4 of Section 13, T 31 N, R 12 E; thence east along said line to the east right-of-way line of Red Haw Drive; thence south along east right-of-way line of Red Haw Drive to the intersection of the west right-of-way line of N. Clinton Street (Leo Road) the point of beginning. An area of approximately 255 acres more or less.

SECTION 2. It is the policy of the City of Fort Wayne to furnish

the above described territory within a period of three (3) years, governmental and proprietary services substantially equivalent in standard and scope to the governmental and proprietary services furnished by the annexing city to other areas of the city which have characteristics of topography, patterns of land utilization and population density similar to said described territory.

SECTION 3. Governmental and proprietary services which will be provided to the described territory are outlined in the fiscal plan for the territory developed by the Department of Community Development and Planning which plan was examined, approved and adopted by the Common Council prior to the passage of this Ordinance.

SECTION 4. Said described territory shall be part of Council-manic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana 1974.

SECTION 5. After its passage, approval by the Mayor and sixty days after final publication thereof as required by law, this Ordinance shall be in full force and effect on December 31, 1979.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: Three
Burns, Hinga, Nuckols

Date: 9-25-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Annexation Ordinance No. X-05-79 on the 25th day of September, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of September, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1979, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. X-77-07-45 (AS AMENDED)

REPORT OF THE COMMITTEE ON ANNEXATION

We, your Committee on Annexation to whom was referred an Ordinance annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 3 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS (AS AMENDED)

AMENDMENT: Effective December 31, 1979

James S. Stier
Vivian G. Schmidt
Samuel J. Talarico

Concurred in 9-25-79

Charles W. Westerman
City Clerk

BILL NO. X-77-07-45 (AS AMENDED)

ANNEXATION ORDINANCE NO. X-06-79

AN ORDINANCE annexing certain territory to the City of Fort Wayne,and including the same in Councilmanic District No. 3

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, effective December 31, 1979, to-wit:

Commencing at the intersection of the east right-of-way line of Huguenard Road and south right-of-way line of Washington Center Road; thence east along south right-of-way line of Washington Center Road to the northeast corner of Lot #29 Highview Park Addition as recorded in Plat Book 16, Page 9, in the office of the Recorder of Allen County, Indiana; thence south along east line of said Highview Addition to its intersection with the southeast corner of Lot #7 in said Highview Addition, this line being the present Corporate Limit; thence east along a line parallel to centerline of Washington Center Road to the intersection of the northerly right-of-way of Interstate #69; thence northeasterly along the north right-of-way of Interstate #69 to the east right-of-way of Hatfield Road; thence south along the east right-of-way line of Hatfield Road to the north right-of-way line of Burban Street; thence east along north right-of-way line of Burban Street to the west right-of-way line of Penn--CentralR.R.; thence south along west right-of-way line of Penn-Central R.R. to the south right-of-way line of Arthur Street; thence west along south right-of-way line of Arthur Street to the east right-of-way line of Hatfield Road; thence south on the east right-of-way line of Hatfield Road to the north right-of-way line of U.S. #30 and #33; thence on a line projected northwesterly to the intersection of the east right-of-way line of Highview Drive and the north right-of-way line of U.S. #30 and #33; thence continuing northwesterly along the north right-of-way of U.S. #30 and#33 to the east right-of-way of Huguenard Road; thence north along the east right-of-way line of Huguenard Road to the south right-of way of Washington Center Road the point of beginning. An area of approximately 195 acres.

SECTION 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of (3) three years, governmental and proprietary services substantially equivalent in standard and scope to the governmental and proprietary services furnished by the annexing city to other areas of the city which have characteristics of topography, patterns of land utilization and population density similar to said described territory.

SECTION 3. Governmental and proprietary services which will be provided to the described territory are outlined in the fiscal plan for the territory developed by the Department of Community Development and Planning, which plan was examined, approved and adopted by the Common Council prior to the passage of this Ordinance.

SECTION 4. Said annexed territory shall be part of Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana 1974.

SECTION 5. After its passage, approval by the Mayor and sixty days after final publication thereof as required by law, this Ordinance shall be in full force and effect on December 31, 1979.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Nuckols

Date: 9-25-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Annexation Ordinance No. X-06-79 on the 25th day of September, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of September, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1979, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-08-37

REPORT OF THE COMMITTEE ON ANNEXATION

We, your Committee on Annexation to whom was referred a Resolution of the Common Council setting forth the policy of the City in regard to the annexation of HIGHVIEW have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

James S. Stier
Vivian G. Schmidt
Samuel J. Talarico

Concurred in 9-25-79

Charles W. Westerman
City Clerk

BILL NO. R-79-08-37

RESOLUTION NO. R-54-79

A RESOLUTION of the Common Council
setting forth the policy of the City
in regard to the annexation of HIGHVIEW

WHEREAS, the annexation of territory to the City is a legislative function; and,

WHEREAS, the Common Council is called upon in the preparation of the City budget to provide for the furnishing of municipal services to the entire City including newly annexed areas; and,

WHEREAS, the Common Council desires that newly annexed areas receive the full measure of municipal services; and,

WHEREAS, the Common Council has before it an ordinance (Bill No. X-77-07-45) for the annexation of the HIGHVIEW annexation area, more specifically described, to-wit:

Commencing at the intersection of the east right-of-way line of Huguenard Road and south right-of-way line of Washington Center Road; thence east along south right-of-way line of Washington Center Road to the northeast corner of Lot #29 Highview Park Addition as recorded in Plat Book 16, Page 9, in the office of the Recorder

of Allen County, Indiana; thence south along east line of said Highview Addition to its intersection with the southeast corner of Lot #7 in said Highview Addition, this line being the present Corporate Limit; thence east along a line parallel to centerline of Washington Center Road to the intersection of the northerly right-of-way of Interstate #69; thence northeasterly along the north right-of-way of Interstate #69 to the east right-of-way of Hatfield Road; thence south along the east right-of-way line of Hatfield Road to the north right-of-way line of Burban Street; thence east along north right-of-way line of Burban Street to the west right-of-way line of Penn-Central R.R.; thence south along west right-of-way line of Penn-Central R.R. to the south right-of-way line of Arthur Street; thence west along south right-of-way line of Arthur Street to the east right-of-way line of Hatfield Road; thence south on the east right-of-way line of Hatfield Road to the north right-of-way line of U.S. #30 and #33; thence on a line projected northwesterly to the intersection of the east right-of-way line of Highview Drive and the north right-of-way line of U.S. #30 and #33; thence continuing northwesterly along the north right-of-way of U. S. #30 and #33 to the east right-of way of Huguenard Road; thence north along the east right-of-way line of Huguenard Road to the south right-of-way of Washington Center Road to the point of beginning An area approximately 195 acres.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That in the case of the HIGHVIEW annexation it is the policy of the City of Fort Wayne to follow the provisions of Common Council Resolution No. with regard to the provision of non-capital and capital services to the annexation area.

SECTION 2. That it is the policy of the City to follow the annexation fiscal plan for said described territory as prepared by the Department of Community Development and Planning.

SECTION 3. That said plan sets forth cost estimates of the services to be provided, the methods of financing these services, the plan for the organization and extension of these services, delineates the non-capital improvement services to be provided within one (1) year of annexation, the capital improvement services to be provided with three (3) years of annexation, and the plan for hiring employees of other governmental entities whose jobs will be eliminated by this annexation.

SECTION 4. Said plan is hereby approved and adopted by the Common Council and shall be in force upon the effective date of the Highview annexation ordinance.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Nuckols

Date: 9-25-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-54-79 on the 25th day of September, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of September, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1979, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-08-39

REPORT OF THE COMMITTEE ON ANNEXATION

We, your Committee on Annexation to whom was referred a Resolution of the Common Council setting forth the policy of the City in regard to the annexation of Concordia Gardens have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

James S. Stier
Vivian G. Schmidt
Samuel J. Talarico

Concurred in 9-25-79

Charles W. Westerman
City Clerk

BILL NO. R-79-08-39

RESOLUTION NO. R-55-79

A RESOLUTION of the Common Council setting forth the policy of the City in regard to the annexation of Concordia Gardens

WHEREAS, the annexation of territory to the City is a legislative function; and

WHEREAS, the Common Council is called upon in the preparation of the City budget to provide for the furnishing of municipal services to the entire City including newly annexed areas, and

WHEREAS, the Common Council desires that newly annexed areas receive the full measure of municipal services; and

WHEREAS, the Common Council has before it an ordinance (Bill No. X-77-06-27) for the annexation of the Concordia Gardens annexation area, more specifically described, to-wit:

Commencing at the intersection of the east right-of-way line of Red Haw Drive and the west right-of-way line of

No. Clinton Street (Leo Road); thence northeast along the west right-of-way line of N. Clinton Street (Leo Road) to a line projected west from the north property line of Concordia Senior College; thence east along said projected line and continuing along north property line of Concordia Senior College and a line projected east to the normal centerline of the St. Joseph River, this line being the present Corporate Limits; thence in a northerly direction following the meanderings of the centerline of the St. Joseph River to its intersection with a projection east of the north line of Concordia Gardens Addition; thence west along said projection and the north line of Concordia Gardens Addition to the east right-of-way line of Leo Road; thence southerly along the east right-of-way line of Leo Road to the south right-of-way line of Auburn Road; thence northwesterly along south right-of-way of Auburn Road to east right-of-way line of Interstate Highway 69; thence southwesterly along east right-of-way line of Interstate Highway 69 to its intersection with the present Corporate Limits, a point approximately 1937.5 feet north of the south line of the NE 1/4 of Section 13, T 31 N, R 12 E; thence east along said line to the east right-of-way line of Red Haw Drive; thence south along east right-of-way line of Red Haw Drive to the intersection of the west right-of-way line of N. Clinton Street (Leo Road) the point of beginning. An area of approximately 255 acres more or less.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That in the case of the Concordia Gardens annexation it is the policy of the City of Fort Wayne to follow the provisions of Common Council Resolution No. with regard to the provision of non-capital and capital services to the annexation area.

SECTION 2. That it is the policy of the City to follow the annexation fiscal plan for said described territory as prepared by the Department of Community Development and Planning.

SECTION 3. That said plan sets forth cost estimates of the services to be provided, the methods of financing these services, the plan for the organization and extension of these services, delineates the non-capital improvement services to be provided within one (1) year of annexation, the capital improvement services to be provided within three (3) years of annexation, and the plan for hiring employess of other governmental entitities whose jobs

will be eliminated by this annexation.

SECTION 4. Said plan is hereby approved and adopted by the Common Council and shall be in force upon the effective date of the Concordia Gardens annexation ordinance.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Nuckols

Date: 9-25-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-55-79 on the 25th day of September, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of September, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1979, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-09-27

RESOLUTION NO. R-56-79

A RESOLUTION of the Common Council of the City of Fort Wayne to amend a scrivenor's error in Resolution No. R-48-79 which sets forth the policy of the City in regard to newly annexed areas

WHEREAS, the annexation of territory to the City is a legislative function; and

WHEREAS, the Common Council is called upon in the preparation of the City budget to provide for the furnishing of municipal services to the entire City, including newly annexed areas; and

WHEREAS, the Common Council desires that newly annexed areas receive the full measure of municipal services; and

WHEREAS, the City of Fort Wayne is desirous of following the annexation requirements of Indiana annexation law;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That written fiscal plans shall be developed for providing municipal services to territories to be annexed to the City.

SECTION 2. That it is the policy of the City of Fort Wayne to provide services to annexation areas in a manner consistent with said plans.

SECTION 3. That each fiscal plan shall include cost estimates of planned services to be furnished to the territory to be annexed.

SECTION 4. That each fiscal plan shall state the method or methods of financing the planned services.

SECTION 5. That each fiscal plan shall describe a plan for the organization and extension of services to the annexation area.

SECTION 6. It is the policy of the City that it will begin providing police and fire protection, emergency medical service, solid waste collection, traffic engineering, street and road maintenance and other noncapital services of the City that are normally provided within its corporate limits, immediately upon annexation. It is also the policy of the City that within one (1) year from the effective date of annexation these services will be provided to the newly annexed area in a manner which is equivalent in

standard and scope to those noncapital services normally provided to areas within the City which have similar topography, patterns of land utilization, and population density.

SECTION 7. It is the policy of the City that services of a capital improvement nature, such as street construction, street lighting, sewer facilities, water facilities, and stormwater drainage facilities, will be provided to the annexed territory within three (3) years of the annexation, in the same manner as those services are provided to areas within the City which have similar topography, patterns of land utilization, and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 8. That each fiscal plan will include a plan for hiring the employees of other governmental entities whose jobs will be eliminated by the proposed annexation.

SECTION 9. That this Resolution shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, HInga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-25-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-56-79 on the 25th day of September, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of September, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1979, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 25th day of September, 1979 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 28th day of September,1979.

Charles W. Westerman
City Clerk

Minutes approved and signed in open council this 9th day of October, 1979.

ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER